

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

RONALD LEE JOHNSON,

Petitioner,

VS.

NATHANIEL QUARTERMAN,

Respondent.

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CIVIL ACTION NO. C-08-177

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

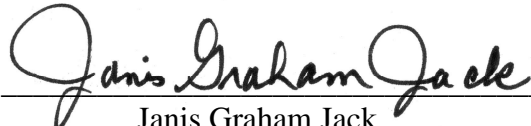
On December 9, 2008, United States Magistrate Judge B. Janice Ellington signed a Memorandum and Recommendation recommending that respondent's motion for summary judgment (D.E. 14) be granted and petitioner's cause of action for habeas corpus relief be dismissed as time-barred and in the alternative, on the merits. The Memorandum and Recommendation recommended further that petitioner's motions for summary judgment (D.E. 9, 20) be denied, and that if petitioner seeks a Certificate of Appealability it be denied. Seeing no objection to this recommendation by either party and having now reviewed the recommendation, this Court hereby adopts as its own the Memorandum and Recommendation as the decision of the Court. Accordingly, it is ORDERED as follows:

- 1) respondent's motion for summary judgment is granted;
- 2) petitioner's motions for summary judgment are denied; and
- 3) petitioner's cause of action for habeas corpus relief is dismissed as time-barred and in the alternative, on the merits.

Certificate of appealability is denied.

The clerk shall enter this order and provide a copy to all parties.

SIGNED and ORDERED this 6th day of March, 2009.



Janis Graham Jack
United States District Judge